

REMARKS

Responsive to the Notice of Non-Compliant Amendment (37 CFR 1.121) mailed November 30, 2004, please find enclosed a complete copy of the claims with proper status identification.

Applicants' undersigned attorney may be reached by telephone at (858) 622-8060. All correspondence should continue to be directed to our address given below. The Commissioner is hereby authorized to charge all fees due, or credit any overpayment, to Deposit Account Number 500329.

Respectfully submitted,

Date: December 10, 2004



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Amendments to the Drawings:

none



Amendments to the Claims marked to show the changes therein:

Please amend the claims as follows:

Please delete claims 37, 38 and 49 without prejudice or disclaimer to any patentable subject matter contained therein.

36. (Amended) A method of treating atherosclerosis and restenosis, mediated by herpesviral infection, comprising administering to a mammal in need thereof a therapeutic amount of a compound of claims 1 or 2.